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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/760,552

01/21/2004

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EXAMINER

HAMZA, FARUK

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/760,552	Applicant(s) YOKOMITSU ET AL.	
	Examiner FARUK HAMZA	Art Unit 2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 4 and 5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/14/04/1/21/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election with traverse of species I (claims 1-3 and 6-20) in the reply filed on November 28, 2008 is acknowledged. The traversal is on the ground(s) that search for all pending claims together would not be burdensome. This is not found persuasive because identified species are different in mode of operation and patentably distinct from each other. The requirement is still deemed proper and is therefore maintained. Claims 1-20 are pending. The applicant is respectfully requested to cancel the withdrawn claims.

Title

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-3 and 6-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "in case" in claims 1-4, 6-7 and 11 is a relative term which renders the claim indefinite. The term "in case" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim 1 recites the limitation "the wide area network" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the predetermined port address" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the address/port information" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "the predetermined number" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "it" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "its" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "a predetermined port number" in line 2. It is unclear to the examiner whether it is referring to the predetermined port number in preceded claims.

Claim 10 recites the limitation "the LAN" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "itself" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "itself" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "the LAN" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "its" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the port numbers" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the port assignment information" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "the display information" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "a predetermined port number" in line 2. It is unclear to the examiner whether it is referring to the same predetermined port number in the preceded claim.

Claim 19 recites the limitation "the transfer" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

Art Unit: 2455

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 and 6-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Goto et al. (U.S. Pub No. 2003/0177236) hereinafter referred as Goto.

As the examiner understands claim 1, Goto teaches a server, which is subordinate to a relay device having a port forwarding feature, comprising: a port management means, which requests the relay device to assign a predetermined port number for a representative server and which is assigned a port number by the relay device, wherein the port management means acquires the wide area network address of the relay device and port mapping information in case the port management means is registered to the predetermined port address and, further wherein the port management means provides the address/port information on other servers in response to an access from a wide area network ([0009, 0027,0029,0031]).

As the examiner understands claim 2, Goto teaches the server according to claim 1, wherein when a request is issued to the relay device, in case the predetermined number is unregistered, the port management means is assigned the predetermined port number, in case the predetermined port number is registered, the port management means is assigned another port number ([0061]).

As the examiner understands claim 3, Goto teaches the server according to claim 1, wherein in case it is assigned to the predetermined port number, said port management means periodically requests port mapping information ([0013]).

As the examiner understands claim 6, Goto teaches the server according to claim 1, wherein in case the server is assigned a predetermined port number, the port management means requests use registration information from the relay device and fetches port mapping information from the use registration information ([0013]).

As the examiner understands claim 7, Goto teaches the server according to claim 1, wherein in case the server is assigned a predetermined port number, the port management means notifies the other server of its port number assigned ([0061]).

As the examiner understands claim 8, Goto teaches the server according to any one of claims 1 through 7, further comprising: a web page generating section and generating a web page where address information on other servers is attached in a linkable fashion ([0093]).

As the examiner understands claim 9, Goto teaches the server according to any one of claims 1 through 8, wherein the port management means adds host names for identification to other servers and posts the host names in the address information ([0062]).

As the examiner understands claim 10, Goto teaches the server according to any one of claims 1 through 9, wherein when the server has detected that a

Art Unit: 2455

server registered to a predetermined port number withdrew from the LAN, another server transmits an identification message to register itself to the predetermined port ([0027]).

As the examiner understands claim 11, Goto teaches the server according to claim 10, wherein other servers transmit identification messages after a random time has elapsed and, in case two or more servers issue identification message within a certain time after that, these servers transmit identification messages respectively after a random time has elapsed until a sole server which identifies itself uses the predetermined port number ([0009]).

As the examiner understands o claim 12, Goto teaches the server according to any one of claims 1 through 9, wherein after detection of withdrawal, another server is registered to the predetermined port based on the mapped port numbers ([0013]).

As the examiner understands claim 13, Goto teaches the server according to claim 10, wherein after detection of withdrawal, other servers respectively transmit identification messages after a time calculated from each server-specific value has elapsed and a sole server determined based on a predetermined determination rule becomes a representative server and is registered to said predetermined port ([0009]).

As the examiner understands claim 14, Goto teaches the server according to any one of claims 10 through 13, wherein a server registered to a predetermined port number communicates as a single unit a withdrawal notice

Art Unit: 2455

message to the servers in the LAN to notify that the server has withdrawn from the LAN ([0017]).

As the examiner understands claim 15, Goto teaches the server according to any one of claims 10 through 13, wherein a server in the LAN detects that there is no inquiry about port mapping information from the server registered to a predetermined port number to detect that the server has withdrawn from the LAN ([0017]).

As the examiner understands claim 16, Goto teaches the server according to any one of claims 10 through 13, wherein all servers in the LAN make inquiries to the server registered to a predetermined port number about its presence and receiving no response, detects the server has withdrawn from the LAN ([0017]).

As the examiner understands claim 17, Go to teaches the server according to any one of claims 1 through 16, further comprising: a camera, an image data generator, which processes a picture signal of a picture shot with the camera to encode the signal, and a web server section, which transmits the image data to a wide area network, wherein the server transmits a photographed image as an image server ([0060]).

Claims 18-20 do not teach or define any new limitations other than above claims. Therefore, claims 18-20 also rejected for similar reasons.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings

Art Unit: 2455

of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

Group Art Unite 2455

/Faruk Hamza/
Examiner, Art Unit 2455